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## RESCISSION OF PREVIOUS NONPUBLICATION REQUEST

(35 U.S.C. 122(b)(2)(B)(ii))
AND, IF APPLICABLE,
NOTICE OF FOREIGN FILING
(35 U.S.C. 122(b)(2)(B)(iii))

Send completed form to:
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FAX: (703) 305-8568

	Collection of information			
Application Number		10/607,434		
Filing Date		6/26/2003		
First Named Inventor		ANSTADT, Mark P.		
Title	Sensor-Equipped And Algorithm-Controlled Direct Mechanical Ventricular Assist Device			
Atty Docket Number		MPA-554		
Group Art Unit		3762		
Examiner		unknown		

A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. 122(b)(2)(B)(i). I hereby **rescind** the previous nonpublication request.

If a notice of foreign or international filing is or will be required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c), I hereby provide such notice. This notice is being provided no later than forty-five (45) days after the date of such foreign or international filing.

If a notice of subsequent foreign or international filing required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c) was not filed within forty-five (45) days after the date of filing of the foreign or international application, the application is ABANDONED, and a petition to revive under 37 CFR 1.137(b) is required. See 37 CFR 1.137(f).

6/25/04 Date

PROCESSED BY
PG PUB DIVISION

JUN 2 5 2004

(585) 387-0285

Telephone Number

/ John M. Hammond

Typed or printed name

Signature

This request must be signed in compliance with 37 CFR 1.33(b).

If information or assistance is needed in completing this form, please contact the Pre-Grant Publication Division at (703) 605-4283 or by e-mail at PGPub@USPTO.gov.

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John M. Hammond

Signature

Date 6/25/04

Burden Hour Statement: his collection of information is required by 37 CFR 1.213(b). The information is used by the public to resumd a previously filed request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that rescission). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PG Pub, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

## CERTIFICATE OF FACSIMILE TRANSMISSION

RESCIND NONPUBLICATION REQUEST

<b>Application Number</b>	10/607,434
Filing Date	6/26/2003
First Inventor	ANSTADT, Mark P.
Examiner Name	unknown
Art Unit	3762
Docket Number	MPA-554

Faxed to Number	1-703-305-8568	Total Pages	2

DATE OF TRANSMISSION: June 25, 2004

TITLE OF CASE:

Sensor-Equipped And Algorithm-Controlled Direct Mechanical Ventricular Assist Device The following documents are enclosed:

Certificate of Facsimile Transmission (1 page)

Rescission of Non-Publication Request (1 page)

The above named documents are being facsimile transmitted to the United States Patent and Trademark Office on the date indicated above. The Director is authorized to charge any additional fee(s) as needed during the pendency of this application to deposit account 50-2753.

Howard J. Greenwald P.C. 349 West Commercial Street, Suite 2490 East Rochester, NY 14445

(585) 387-0285

Signature of Transmitter

Howard J. Greenwald, Esq (Reg. No. 24,247)

• John M. Hammond (Reg. No. 52,986)

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